IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE NINTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 25594 of 1997

Between:

M/s Sri Sai Anjaneya Scales Rep. by its Prop: Janaki Narayana S/o Venkata Rangaiah, R/o 7th Ward, Markapur, Prakasam District.

..... PETITIONER

AND

1 The Controller of Legal Metrology,
Hyderabad.
2 The Assistant Controller of Legal Metrology,
Nellore.
3 The Deputy Controller of Legal Metrology,
Guntur.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus directing the respondent No.2 herein to dispose of the application dt: 21.6.97 for licence under Standards of Weights & Measures (Enforcement) Act, 1985 r/w rule 12 of A.P. Standards of Weights & Measures (Enforcement) Rules 1986 by declaring the inaction as being illegal, arbitrary.

Counsel for the Petitioner: MR.V.MALLIK

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court made the following :

ORDER:

Heard the leaned counsel for the petitioner and the leaned Government Pleader for Civil Supplies.

By this writ petition, the petitioner seeks a direction to the second respondent to dispose of his application, dated 21-6-1997 made under the Standards of Weights & Measures (Enforcement) Act, 1985 read with Rule 12 of A.P. Standards of Weights & Measures (Enforcement) Rules, 1986, for grant of a licence to repair Weights, Measures, Weighing Instruments and Measuring Instruments.

The learned Government Pleader for Civil Supplies, reiterating the averments made in the counter-affidavit filed by the second respondent, submitted that the application of the petitioner was returned on
27-10-1997 for rectifying the defects pointed out therein, and the petitioner after rectifying the defects, resubmitted it on 03-11-1997. He also submitted that the second respondent inspected the premises of the petitioner on 15-11-1997, and thereafter recommended the petitioner's application for grant of repairing licence, vide office letter dated
21-11-1997, to the Regional Deputy Controller, Legal Metrology. He also submitted that in view of the interim stay granted by this Court in W.P. No.24156 of 1996 in the matter of grant of licences, the first respondent could not pass any final orders on the application of the petitioner.

In the light of the above submissions of the learned Government Pleader, I have called for the order in W.P. No.24156 of 1996. The said writ petition was

dismissed by this Court on 20-04-1999. In view of the dismissal of the said writ petition, there is no hurdle to the respondents to consider the application of the petitioner for grant of licence. Therefore, the respondents are directed to consider the application of the petitioner, dated 21-6-1997, expeditiously and pass appropriate orders thereon in accordance with law.

With the above direction, the writ petition is disposed of. No costs.

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N.V. RAMANA, J

Date: 09-03-2005

Svv

..... REGISTRAR

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SECTION OFFICER

To

1 The Controller of Legal Metrology,
Hyderabad.
2 The Assistant Controller of Legal Metrology,
Nellore.
3 The Deputy Controller of Legal Metrology,
Guntur.

4 Two CCs. to the Government Pleader for Civil Supplies, High Court Buildings, A.P., Hyderabad (OUT).

5 Two CD copies

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